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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/508,019	03/06/2000	WOLFGANG STROHMEIER	10191/1239	8203

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EXAMINER

WARD, RONALD J

ART UNIT

PAPER NUMBER

2681

DATE MAILED: 06/13/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/508,019

Applicant(s)

STROHMEIER, WOLFGANG

Examiner

Ronald J Ward

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2681.

Allowable Subject Matter

2. The indicated allowability of **claim 13** is withdrawn in view of the newly discovered reference(s) to Chen (USPN 5974333). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. **Claims 8, 10-11, 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagashima et al. (U.S. Patent Number 5537673) in view of Burrell (U.S. Patent Number 5910882) and Chen (USPN 5974333).

As to **claim 13**, Nagashima discloses, in Fig. 1, a car radio for receiving a broadcast radio program, comprising:

a front panel (10) including a horizontally positioned holder (12), the front panel including a radio circuit for receiving a broadcast radio program (see col. 3 lines 19-24, 56-58);

a detachable handset (20) capable of functioning as one of a control unit for a car radio and a telephone, the handset connecting to the horizontally positioned holder in the front panel of the car radio and providing a control signal to the radio circuit (see col. 6 lines 46-51, col. 1 lines 51-55);

a screen (23); and
control keys (22) provided with labeling.

However, Nagashima fails to explicitly recite that the handset is inserted into the horizontally positioned holder and that the control keys are provided with the easy to read labeling claimed and wherein the front panel includes at least one further control key for controlling the car radio, the at least one further control key being positioned adjacent to the horizontally positioned holder.

In an analogous art, Burrell discloses, in Fig. 7, a handset (2) the handset being inserted into the horizontally positioned holder in the front panel (see col. 6 lines 60-67). In addition Burrell discloses control keys (14) provided with a labeling oriented along a first axis that is rotated out of a usual vertical alignment of the handset in a mounted position by an angle between 30 and 60 degrees in a direction of a longitudinal axis of the handset in order to render the labeling easy to read in each one of a plurality of operating positions of the handset (see col. 5 lines 3-10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nagashima's handset and holder such that the handset is inserted into the holder, as taught by Burrell. One of ordinary skill in the art would have been motivated to make this modification in order to more securely hold the handset and avoid breaking by accidental bumping of the handset.

In addition, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nagashima's control keys with the easy to read labeling taught by Burrell. One of ordinary skill in the art would have been motivated to make this modification

because it makes the labeling easier to read regardless of the position of the handset (see col. 5 lines 6-10 of Burrell).

In another analogous art, Chen discloses, in Figure 3, a car radio for receiving a broadcast radio program, comprising a front panel (411) including a horizontally positioned holder (44), and a car radio, and a detachable handset (2), wherein the front panel includes at least one further control key (41, radio tuner knob) for controlling the car radio, the at least one further control key being positioned adjacent to the horizontally positioned holder (see col. 3 lines 45-62).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination system of Nagashima and Burrell to include at least one further control key for controlling the car radio, as described and taught by Chen. One of ordinary skill in the art would have been motivated to make this modification because it would reduce the number of unnecessary control keys (e.g., keys other than those of set 22 in Figure 1 of Nagashima) on the detachable handset, thereby allowing a decrease in its size and complexity.

As to **claim 8**, the combination system of Nagashima, Burrell, and Chen disclose everything as applied to claim 13 above. In addition, Burrell further discloses that the first axis of the labeling is rotated 45 degrees in relation to the direction of the longitudinal axis of the handset (see col. 5 lines 3-10).

As to **claims 10 and 11**, the combination system of Nagashima, Burrell, and Chen disclose everything as applied to claim 13 above. In addition, Burrell discloses that the direction of a display on the screen is capable of being changed in order to adjust the screen to one of the plurality of operating positions (see col. 4 lines 44-59) and that the handset includes a position sensor for changing the display on the screen (see col. 6 lines 3-11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nagashima with the adjustable screen and position sensor, as taught by Burrell. One of ordinary skill in the art would have been motivated to make this modification because it allows easier viewing by the user (see col. 4 lines 59-62 of Burrell).

5. **Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination system of Nagashima, Burrell, and Chen as applied to claim 13 above, and further in view of Lindeman et al. (U.S. Patent Number 5,926,119).

The combination system of Nagashima, Burrell, and Chen disclose everything as applied to claim 13 above. In addition, Burrell discloses labeled control keys having different shapes and different functions (14, 16, 84 in Figure 1). However, Burrell does not explicitly recite elongated keys oriented perpendicular to the first axis of the labeling.

In an analogous art, Lindeman discloses, in Figure 1, a keypad wherein one key (160) is elongated and oriented perpendicular to the axis of labeling. The advantage of making this key elongated is “to further facilitate location using only the sense of touch” (see col. 2 lines 25-37).

It would have been obvious to one of ordinary skill in the art at the time the invention was to modify the control keys of the combination system of Nagashima, Burrell, and Chen to include labeled elongated keys oriented perpendicular to the first axis of labeling, as taught by Lindeman, for the purpose of facilitating the location of those keys.

6. **Claim 12** is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination system of Nagashima, Burrell, and Chen as applied to claim 13 above, and further in view of Gottlieb (U.S. Patent Number 4,737,656).

The combination system of Nagashima, Burrell, and Chen disclose everything as applied to claim 7 above. However, Nagashima, Burrell, and Chen fail to explicitly recite that a remote computer that serves as a remote control for the car radio.

In an analogous art, Gottlieb discloses a remote control unit for a car radio to allow a driver to conveniently control the radio (see col. 1 lines 5-12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the car radio of the combination system of Nagashima, Burrell, and Chen to include a remote control for enhancing driver convenience, as taught by Gottlieb.

7. **Claim 14** is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination system of Nagashima, Burrell, and Chen as applied to claim 13 above, and further in view of Oberlaender (U.S. Patent Number 6160997).

The combination system of Nagashima, Burrell, and Chen disclose everything as applied to claim 13 above. In addition, Nagashima's handset includes at least one soft key (22) for selecting radio stations (see col. 3 lines 56-58), the at least one soft key being positioned adjacent to the screen (23) (see Fig. 1).

However, Nagashima fails to explicitly disclose that the at least one soft key selects stored radio stations.

In an analogous art, Oberlaender discloses a similar invention wherein at least one soft key selects stored radio stations (see col. 3 lines 38-46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the soft keys of the combination system of Nagashima, Burrell, and Chen to select stored radio stations, as taught by Oberlaender. One of ordinary skill in the art would have

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been motivated to make this modification because it makes the car radio more convenient for quickly finding stations.

Response to Arguments

8. Applicant's arguments with respect to **claims 8-14** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald J. Ward whose telephone number is (703) 305-5616. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost, can be reached at (703)305-4778.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 2600 Customer Service Office at (703) 306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (Technology Center 2600 only)

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

RJW

June 4, 2003



NGUYEN T. VO
PRIMARY EXAMINER